

DT03 Rec'd PET/PFO 17 MAR 2005

WR:jam 03/17/05 4239-66640-05 E-202-2002/0-US-

EXPRESS MAIL LABEL NO. EV510808396US  
DATE OF DEPOSIT: March 17, 2005

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A NATIONAL STAGE FILING UNDER 35 U.S.C. § 371		ATTORNEY'S DOCKET NUMBER 4239-66640-05
INTERNATIONAL APPLICATION NO. PCT/US2003/030155		U.S. APPLICATION NO. (If known, see 37 C.F.R. § 1.5) <b>10/528310</b>
INTERNATIONAL FILING DATE 24 September 2003		PRIORITY DATE CLAIMED 24 September 2002
TITLE OF INVENTION <b>METHOD FOR CONVECTION ENHANCED DELIVERY OF THERAPEUTIC AGENTS</b>		
APPLICANT(S) FOR DO/EO/US <b>Edward H. Oldfield, Russell R. Lonser, Kayhan Garmestani and Martin W. Brechbiel</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. § 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. § 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. § 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. § 371(b) and PCT Articles 22 and 39(1). Items 5, 6, 9 and 21 indicated below are submitted to make this express request.</li> <li>4. <input type="checkbox"/> The United States has been elected in a Demand for International Preliminary Examination (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. § 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English-language translation of the International Application (35 U.S.C. § 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input checked="" type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau to the United States Receiving Office).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English-language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. § 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English-language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).</li> </ol>		
Items 11 to 21 below concern document(s) or information included:		
<ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. §§ 1.97 and 1.98.</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. §§ 3.28 and 3.31 and the Recordal fee of \$40.00 are included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. § 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input checked="" type="checkbox"/> Powers of attorney from the inventors.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. §§ 1.821 - 1.825.</li> <li>18. <input checked="" type="checkbox"/> A second copy of the published International Application under 35 U.S.C. § 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English-language translation of the international application under 35 U.S.C. § 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information:             <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Abstract on a separate page.</li> <li><input type="checkbox"/> Written Opinion.</li> <li><input type="checkbox"/> Preliminary Examination Report.</li> <li><input checked="" type="checkbox"/> International Search Report.</li> <li><input checked="" type="checkbox"/> Copies of References Cited in International Search Report (included in Information Disclosure Statement).</li> </ul> </li> </ol>		

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U.S. APPLICATION NO. (IF KNOWN) SEE 37 C.F.R. § 1.50 <b>107528310</b>		INTERNATIONAL APPLICATION NO. PCT/US2003/030155		ATTORNEY'S DOCKET NUMBER 4239-66640-05
<p>The following fees are submitted:</p> <p>21. <input checked="" type="checkbox"/> Basic national fee ..... \$300</p> <p>22. <input checked="" type="checkbox"/> Examination fee If international preliminary examination report prepared by USPTO and all claims satisfy novelty, nonobviousness (inventive step) and utility (industrial applicability) i.e., provisions of PCT Article 33(1)-(4) ..... \$100 All other situations ..... \$200</p> <p>23. <input checked="" type="checkbox"/> Search fee Search fee (37 C.F.R. 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100 International Search Report prepared and provided to the Office ..... \$400 All other situations ..... \$500</p> <p style="text-align: right;"><b>TOTAL OF 21, 22, and 23 =</b> <b>\$ 600.00</b></p> <p><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</p>				
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	
63 - 100	0 / 50 =	0	x \$250	<b>\$ 0.00</b>
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(e)).				\$
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE
Total claims		34 - 20 =	14	x \$50.00 <b>\$ 700.00</b>
Independent Claims		2 - 3 =	0	x \$200.00 <b>\$ 0.00</b>
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 1,300.00</b>
<input type="checkbox"/> Reduction of 1/2 for filing by small entity. Small entity status is claimed for this application.				
<b>SUBTOTAL =</b>				<b>\$ 1,300.00</b>
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 C.F.R. §§ 1.492(f)). + \$				
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 1,300.00</b>
Fee for recording the enclosed assignment (37 C.F.R. § 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. §§ 3.28, 3.31). \$40.00 per property. + \$				
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 1,340.00</b>
				Amount to be refunded \$
				Amount to be charged \$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ 1,340.00 to cover the above filing fees and the recordation fee is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 02-4550. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Please return the enclosed postcard to confirm that the items listed above have been received.</p>				
NOTE: Where an appropriate time limit under 37 C.F.R. § 1.494 or § 1.495 has not been met, a petition to revive (37 C.F.R. § 1.137(a) or (b)) must be filed and granted to restore the application to pending status.				
SEND ALL CORRESPONDENCE TO THE ADDRESS ASSOCIATED WITH <b>CUSTOMER NUMBER 36218</b>				
 SIGNATURE Wayne W. Rupert NAME 34,420 REGISTRATION NUMBER				
Klarquist Sparkman, LLP One World Trade Center, Suite 1600 121 S.W. Salmon Street Portland, OR 97204-2988				

cc: Docketing